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EXTRAORDINARY

PART II—Section 3

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MINISTRY OF REHABILITATION

NOTIFICATION

New Delhi, the 8th August 1955

S.R.O. 1713.—In exercise of the powers conferred by section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby makes the following amendments to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, namely:—

1. In Rule 90 in the said Rules—

(a) to sub-rule (8) the following proviso shall be added, namely—

Provided that where the highest bidder is a displaced person having a verified claim, the compensation in respect of which exceeds the amount of the deposit required under this sub-rule, he may, instead of making a deposit, execute an indemnity bond in the form specified in Appendix XXI A.

(b) after sub-rule (9) the following sub-rule shall be added, namely—

(9) (A). Where the highest bidder has committed a breach of the indemnity bond executed under the proviso to sub-rule (8), the amount payable under the bond may be deducted from the net compensation due to him.

(c) in sub-rule (10) after the words “the bid in respect of which the initial deposit has been accepted” the following words shall be inserted,

“or in respect of which an indemnity bond has been executed”.

2. After appendix XXI the following appendix shall be added, namely—

APPENDIX XXI A

[Rule 90(8)]

Bond of Indemnity

KNOW ALL MEN BY THESE PRESENTS that I.....
.....son of.....of.....(hereinafter called “the Auction Purchaser”) am held and firmly bound unto the PRESIDENT OF INDIA (hereinafter called “the Government” which expression shall include his certain attorneys, successors or assignees) in the sum of Rs.....(Rupees.....only) of lawful money of India together with all costs, charges, expenses and damages as hereinafter mentioned to be paid to the Government FOR WHICH PAYMENT well and truly to be made I bind myself, my heirs, executors, administrators and representatives firmly by these presents:

AS WITNESS my hand this.....day of.....195....:

WHEREAS the property more fully described in the Schedule hereunder written (hereinafter called the “said property”) was sold by public auction on the.....day of.....195.....:

AND WHEREAS the Auction Purchaser was declared to be the highest bidder for the property at the said public auction:

AND WHEREAS sub-rule (8) of Rule 90 of the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 provides that the person declared to be the highest bidder for the property at the public auction shall pay in cash or by a cheque drawn on a scheduled bank and endorsed "good for payment upto six months" or in such other form as may be required by the Settlement Commissioner immediately on the fall of the hammer a deposit not exceeding 10% (ten per cent) of the amount of his bid to the officer conducting the sale and in default of such payment the property may be resold:

AND WHEREAS the proviso to sub-rule (8) aforesaid provides that where the highest bidder is a displaced person having a verified claim, the compensation in respect of which exceeds the amount of the deposit required under sub-rule (8), he may, instead of making a deposit, execute an indemnity bond:

AND WHEREAS the Auction Purchaser is a displaced person having a verified claim as aforesaid:

AND WHEREAS the Government requires the Auction Purchaser to execute a bond undertaking to pay to the Government the aforesaid sum of Rs. (Rupees only) together with all costs, charges, expenses, losses and damages that shall or may be occasioned to the Government in the event of the Auction Purchaser failing to complete the purchase of the said property in accordance with the provisions contained in the Displaced Persons (Compensation and Rehabilitation) Rules, 1955:

AND WHEREAS it has been agreed between the said Auction Purchaser and the Government that the said Auction Purchaser should now execute such bond as above written with such condition as hereunder is written:

NOW THE CONDITION OF THIS BOND IS SUCH that if the Auction Purchaser shall fail to complete the purchase of the said property in accordance with the provisions contained in the Displaced Persons (Compensation and Rehabilitation) Rules, 1955, the Government shall deduct from the net compensation due to the Auction Purchaser the amount payable hereunder, viz., the sum of Rs. (Rupees only) together with all costs, charges, expenses, losses and damages that shall or may be incurred by or occasioned to the Government in consequence of the Auction Purchaser failing to complete the purchase of the said property as aforesaid THEN the above-written bond shall be void and of no effect otherwise the same shall be and remain in full force and virtue:

IN WITNESS TO THE ABOVE WRITTEN BOND and the condition therefor I have hereunto set my hand this day of 195....

THE SCHEDULE ABOVE REFERRED TO:

ALL THAT PIECE OR PARCEL OF LAND situate at containing by admeasurement or thereabouts and bounded on the

North by

South by

East by

West by

TOGETHER WITH all buildings, privileges, easements and appurtenances whatsoever to the said piece of land belonging or usually held or enjoyed therewith.

Signed by

the Auction Purchaser above-named in
the presence of—

(1)

(2)

(Signature)

ACCEPTED

(Signature)
for and on behalf of the
PRESIDENT OF INDIA.

[No. F.51(13)SI/55.]

K. J. GEORGE, Dy. Secy.